

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

ST. CLAIR COUNTY EMPLOYEES') Civil Action No. 3:18-cv-00988
RETIREMENT SYSTEM, Individually and on)
Behalf of All Others Similarly Situated,) CLASS ACTION
)
Plaintiff,) District Judge William L. Campbell, Jr.
) Magistrate Judge Alistair E. Newbern
vs.)
) PLAINTIFFS' MOTION FOR SANCTIONS
ACADIA HEALTHCARE COMPANY, INC.,) UNDER FEDERAL RULE OF CIVIL
et al.,) PROCEDURE 37(e) FOR DEFENDANTS'
) SPOILATION OF ESI
Defendants.)
)
)

TO: ALL PARTIES AND THEIR ATTORNEYS OF RECORD

PLEASE TAKE NOTICE that Lead Plaintiffs Chicago & Vicinity Laborers' District Council
Pension Fund and New York Hotel Trades Council & Hotel Association of New York City, Inc.
Pension Fund ("Plaintiffs") hereby move this Court for an Order issuing an adverse inference jury
instruction pursuant to Federal Rule of Civil Procedure 37(e) for Defendants' destruction of relevant
electronically stored information ("ESI").¹ This motion is supported by the concurrently-filed
memorandum of law, the Declaration of J. Marco Janoski Gray, the exhibits to those documents and

¹ "Defendants" refers to Acadia Healthcare Company, Inc., Deborah H. Jacobs as Executor of the Estate of Joey A. Jacobs, Brent Turner, and David Duckworth.

such other evidence and argument as the Court may consider. The parties have met and conferred on Plaintiffs' motion, and Defendants oppose the relief requested herein.

DATED: April 25, 2025

ROBBINS GELLER RUDMAN & DOWD LLP
JERRY E. MARTIN, #20193
CHRISTOPHER M. WOOD, #032977

s/ Christopher M. Wood

CHRISTOPHER M. WOOD

200 31st Avenue North
Nashville, TN 37203
Telephone: 615/244-2203
615/252-3798 (fax)
jmartin@rgrdlaw.com
cwood@rgrdlaw.com

ROBBINS GELLER RUDMAN & DOWD LLP
DARREN J. ROBBINS
SAM S. SHELDON (admitted *pro hac vice*)
DARRYL J. ALVARADO (admitted *pro hac vice*)
J. MARCO JANOSKI GRAY (admitted *pro hac vice*)
TING H. LIU (admitted *pro hac vice*)
T. ALEX B. FOLKERTH (admitted *pro hac vice*)
655 West Broadway, Suite 1900
San Diego, CA 92101
Telephone: 619/231-1058
619/231-7423 (fax)
darrenr@rgrdlaw.com
ssheldon@rgrdlaw.com
dalvarado@rgrdlaw.com
mjanoski@rgrdlaw.com
tliu@rgrdlaw.com
afolkerth@rgrdlaw.com

Class Counsel

DOWD, BLOCH, BENNETT, CERVONE,
AUERBACH & YOKICH
JUSTIN J. LANNOYE
8 South Michigan Avenue, 19th Floor
Chicago, IL 60603
Telephone: 312/372-1361
312/372-6599 (fax)
jlannoye@laboradvocates.com

Counsel for Chicago & Vicinity Laborers' District
Council Pension Fund

PITTA LLP
MICHAEL BAUMAN
120 Broadway, 28th Floor
New York, NY 10271
Telephone: 212/652-3890
212/652-3891 (fax)
mbauman@pittalaw.com

Counsel for New York Hotel Trades Council & Hotel
Association of New York City, Inc. Pension Fund

CERTIFICATE OF SERVICE

I hereby certify under penalty of perjury that on April 25, 2025, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the email addresses on the attached Electronic Mail Notice List, and I hereby certify that I caused the mailing of the foregoing via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

s/ Christopher M. Wood
CHRISTOPHER M. WOOD

ROBBINS GELLER RUDMAN & DOWD LLP
200 31st Avenue North
Nashville, TN 37203
Telephone: 615/244-2203
615/432-2398 (fax)
Email: cwood@rgrdlaw.com

Mailing Information for a Case 3:18-cv-00988 St. Clair County Employees' Retirement System v. Acadia Healthcare Company, Inc. et al

Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

- **AMALGAMATED BANK, TRUSTEE**
PKNASHLAW@AOL.COM
- **Darryl J. Alvarado**
dalvarado@rgrdlaw.com,e_file_sd@rgrdlaw.com
- **BOSTON RETIREMENT SYSTEM**
PKNASHLAW@AOL.COM
- **Michael Bauman**
mbauman@pittalaw.com
- **Paul Kent Bramlett**
pknashlaw@aol.com
- **Lisa R. Bugni**
lbugni@kslaw.com
- **Thomas H. Burt**
burt@whafh.com
- **Regina M. Calcaterra**
calcaterra@whafh.com
- **Jessica Perry Corley**
jpcorley@kslaw.com
- **Rebecca Wells Demaree**
rwdemaree@cclawtn.com,dbarker@cclawtn.com
- **Patrick Donovan**
donovan@whafh.com
- **Timothy Alexander Benwa Folkerth**
afolkerth@rgrdlaw.com,e_file_sd@rgrdlaw.com
- **Elizabeth O. Gonser**
egonser@rjfirms.com,dgibby@rjfirms.com,bmoore@rjfirms.com
- **J. Marco Janoski Gray**
mjanoski@rgrdlaw.com,tdevries@rgrdlaw.com,pmitchell@rgrdlaw.com,e_file_sd@rgrdlaw.com
- **Matthew M. Guiney**
guiney@whafh.com
- **Brandon R. Keel**
bkeel@kslaw.com
- **Justin J. Lannoye**
jlannoye@laboradvocates.com
- **Ting H. Liu**
tliu@rgrdlaw.com,e_file_sd@rgrdlaw.com
- **Gregory C. Logue , Sr**
logueg@wmbac.com,arossini@wmbac.com
- **Jerry E. Martin**
jmartin@barrettjohnston.com,jfrye@barrettjohnston.com,mmcgraw@barrettjohnston.com,mfazio@barrettjohnston.com,lvandrasik@barrettjohnston.com,shyatt@barre
- **Milton S. McGee , III**
tmcgee@rjfirms.com,EWard@kslaw.com,AWatkins@kslaw.com,dgibby@rjfirms.com
- **Thomas C. Michaud**
tmichaud@vmtlaw.com
- **Danielle S. Myers**
danim@rgrdlaw.com,dmyers@ecf.courtdrive.com,e_file_sd@rgrdlaw.com
- **PLYMOUTH COUNTY RETIREMENT ASSOC**
PKNASHLAW@AOL.COM
- **Steven Allen Riley**
sriley@rjfirms.com,dgibby@rjfirms.com

- **Sam S. Sheldon**
ssheldon@rgrdlaw.com
- **Ronni D. Solomon**
rsolomon@kslaw.com
- **Priya Sopori**
psopori@nixonpeabody.com
- **David F. Standa**
david.standa@gmlaw.com
- **Robert Lee Vance**
bvance@wmbac.com,dwatson@wmbac.com
- **David C. Walton**
davew@csgrr.com
- **Christopher M. Wood**
cwood@rgrdlaw.com,CWood@ecf.courtdrive.com,pmitchell@rgrdlaw.com,e_file_sd@rgrdlaw.com

Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

- (No manual recipients)